THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.824 OF 2000

DATED: 26-04-2007

Between :

Dasari Surya Rao .... Petitioner

And

The Mandal Revenue Officer, Rajahmundry Rural,
Bommuru, E.G. District., and 2 others.... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.824 OF 2000

ORDER :

This writ petition is filed seeking a declaration that the alleged action of the respondents in attempting to lay a pipeline for flow of wastage water across the agricultural land of the petitioner situated in Sy.No.121/4 of Torredu Village of Rajahmundry Mandal, East Godavari District as arbitrary and illegal.

The petitioner claims to be the owner and possessor of the land in question having purchased the same under a Registered Sale Deed dated 21-8-1997. It is alleged that the respondents had proposed to lay a pipeline across the land in question and for the said purpose on 18-1-2000 they had surveyed the land. It is contended that the said action of the respondents in seeking to interfere with the possession and enjoyment of the petitioner's land without following due process of law is arbitrary and illegal.

This Court while directing Rule Nisi by order dated 27-1-2000 directed that the petitioner shall not be dispossessed from the land in question except through due process of law. The said order continued to be in operation throughout and no counter-affidavit has been filed on behalf of any of the respondents so far.

Having regard to the facts and circumstances of the case and in the absence of any counter-affidavit by the respondents, I deem it appropriate to dispose of the Writ Petition in terms of the interim order dated 27-1-2000 in WPMP.No.1037 of 2000 directing the respondents not to interfere with the possession of the petitioner in respect of the

land in question without following due process of law. No costs.

G. ROHINI, J.

Dt.26–04-2007
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